

J. Noah Hagey, Esq. (SBN: 262331)  
[hagey@braunhagey.com](mailto:hagey@braunhagey.com)  
 Matthew Borden, Esq. (SBN: 214323)  
[borden@braunhagey.com](mailto:borden@braunhagey.com)  
 Andrew Levine, Esq. (SBN: 278246)  
[levine@braunhagey.com](mailto:levine@braunhagey.com)  
 Yekaterina Kushnir, Esq. (SBN: 350843)  
[kushnir@braunhagey.com](mailto:kushnir@braunhagey.com)  
 BRAUNHAGEY & BORDEN LLP  
 747 Front Street, 4th Floor  
 San Francisco, CA 94111  
 Telephone: (415) 599-0210

Molly Jamison, Esq. (*pro hac vice*)  
[jamison@braunhagey.com](mailto:jamison@braunhagey.com)  
 Garrett Biedermann, Esq. (*pro hac vice*)  
[biedermann@braunhagey.com](mailto:biedermann@braunhagey.com)  
 Nicholas Fallah, Esq. (*pro hac vice*)  
[nfallah@braunhagey.com](mailto:nfallah@braunhagey.com)  
 BRAUNHAGEY & BORDEN LLP  
 200 Madison Avenue, 23rd Floor  
 New York, NY 10016  
 Telephone: (646) 829-9403

*Attorneys for Direct Purchaser Plaintiffs*

Christopher L. Frost (SBN: 200336)  
 John Maatta (SBN: 83683)  
 Joshua S. Stambaugh (SBN: 233834)  
 Lawrence Liu (SBN: 312115)  
 FROST LLP  
 10960 Wilshire Boulevard, Suite 1260  
 Los Angeles, CA 90024  
 Telephone: (424) 254-0441  
[chris@frostllp.com](mailto:chris@frostllp.com)  
[john@frostllp.com](mailto:john@frostllp.com)  
[josh@frostllp.com](mailto:josh@frostllp.com)  
[lawrence@frostllp.com](mailto:lawrence@frostllp.com)

Shauna A. Izadi (*pro hac vice*)  
[sizadi@izadilegal.com](mailto:sizadi@izadilegal.com)  
 IZADI LEGAL GROUP, PLLC  
 13155 Noel Rd, Suite 900  
 Dallas, TX 75240

Jeffrey E. Faucette (SBN: 193066)  
 Martin R. Glick (SBN: 40187)  
 SKAGGS FAUCETTE LLP  
 505 Montgomery Street, 11th Floor  
 San Francisco, CA 94111  
[jeff@skaggsfaucette.com](mailto:jeff@skaggsfaucette.com)  
[marty@skaggsfaucette.com](mailto:marty@skaggsfaucette.com)

Eric P. Enson (SBN: 204447)  
 CROWELL & MORING LLP  
 515 South Flower Street, 41st Floor  
 Los Angeles, CA 90071  
[enson@crowell.com](mailto:enson@crowell.com)

*Attorneys for Defendants*

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

IN RE TELESCOPES ANTITRUST  
 LITIGATION

This Document Relates to:

AURORA ASTRO PRODUCTS LLC,  
 PIONEER CYCLING & FITNESS, LLP, and  
 those similarly situated,

Plaintiffs,

v.

Case No. 5:20-cv-03642-EJD

### **DIRECT PURCHASER PLAINTIFFS' AND DEFENDANTS' NOTICE OF JOINT MOTION AND JOINT MOTION TO APPROVE CLASS NOTICE**

**Date:** February 5, 2026  
**Time:** 9:00 a.m.  
**Judge:** Hon. Edward J. Davila  
**Courtroom:** 4, 5th Floor

1 CELESTRON ACQUISITION, LLC, SUZHOU  
2 SYNTA OPTICAL TECHNOLOGY CO., LTD.,  
3 SYNTA CANADA INT'L ENTERPRISES  
4 LTD., SW TECHNOLOGY CORP., OLIVON  
5 MANUFACTURING CO. LTD., OLIVON USA,  
6 LLC, NANTONG SCHMIDT OPTO-  
7 ELECTRICAL TECHNOLOGY CO. LTD.,  
8 NINGBO SUNNY ELECTRONIC CO., LTD.,  
9 PACIFIC TELESCOPE CORP., COREY LEE,  
10 DAVID SHEN, SYLVIA SHEN, JACK CHEN,  
11 JEAN SHEN, JOSEPH LUPICA, DAVE  
12 ANDERSON, LAURENCE HUEN, and DOES  
13 1-50,

14  
15 Defendants.

**Compl. Filed:** June 1, 2020  
**Fourth Am.**  
**Compl. Filed:** September 1, 2023  
**Trial Date:** None Set

**NOTICE OF JOINT MOTION**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on February 5, 2026, at 9:00 a.m. or as soon thereafter as the matter may be heard before the Honorable Edward J. Davila, in the United States District Court for the Northern District of California at the San Jose Courthouse, 280 South 1st Street, Courtroom 4, 5th Floor, San Jose, CA 95113, Direct Purchaser Plaintiffs (“DPPs”) and Defendants Celestron Acquisition, LLC, Suzhou Synta Optical Technology Co., Ltd., Synta Canada Int’l Enterprises Ltd., SW Technology Corp., Olivon Manufacturing Co. Ltd., Olivon USA, LLC, Nantong Schmidt Optoelectrical Technology Co. Ltd., Pacific Telescope Corp., Corey Lee, David Shen, Sylvia Shen, Jack Chen, Jean Shen, Joseph Lupica, Dave Anderson, Laurence Huen (collectively, “Defendants”) will jointly move this Court pursuant to Federal Rule of Civil Procedure 23(c)(2)(B) for an Order Approving Class Notice.

This Motion is based on this Notice and Joint Motion and Motion, the accompanying Memorandum, the Declaration of Matthew Borden, the files and records in this action, and on such other written and oral argument as may be presented to the Court.

Dated: January 6, 2026

Respectfully submitted,

BRAUNHAGEY & BORDEN LLP

By: /s/ Matthew Borden  
Matthew Borden

*Attorneys for Direct Purchaser Plaintiffs*

SKAGGS FAUCETTE LLP

By: /s/ Martin R. Glick  
Martin R. Glick

*Attorneys for Defendants Sylvia Shen, Suzhou Synta Optical Technology Co., Ltd., SW Technology Corp., Nantong Schmidt Opto-Electrical Technology Co. Ltd., Synta Technology Corp., Synta Canada Int’l Enterprises Ltd., David Shen, Jack Chen*

FROST LLP

By: /s/ Lawrence Liu  
Lawrence Liu

*Attorneys for Defendants Celestron Acquisition, LLC, Suzhou Synta Optical Technology Co., Ltd., Synta Canada Int'l Enterprises Ltd., SW Technology Corp., Olivon Manufacturing Co. Ltd., Olivon USA, LLC, Nantong Schmidt Opto-Electrical Technology Co. Ltd., Pacific Telescope Corp., David Shen, Sylvia Shen, Jack Chen, Jean Shen, Laurence Huen*

CROWELL & MORING LLP

By: /s/ Eric P. Enson  
Eric P. Enson

*Attorneys for Defendants Corey Lee, Joseph Lupica, Dave Anderson*

1 Direct Purchaser Plaintiffs (“DPPs”) on behalf of the DPP Class, and Defendants Celestron  
 2 Acquisition, LLC, Suzhou Synta Optical Technology Co., Ltd., Synta Canada Int’l Enterprises  
 3 Ltd., SW Technology Corp., Olivon Manufacturing Co. Ltd., Olivon USA, LLC, Nantong Schmidt  
 4 Optoelectrical Technology Co. Ltd., Pacific Telescope Corp., Corey Lee, David Shen, Sylvia Shen,  
 5 Jack Chen, Jean Shen, Joseph Lupica, Dave Anderson, Laurence Huen (collectively, “Defendants”)  
 6 respectfully submit this Joint Motion to Approve Class Notice.

### 7 **INTRODUCTION**

8 DPPs assert that Defendants are conspiring to fix the prices of telescopes in the United  
 9 States, and violating United States and California antitrust laws. As a result, Defendants are  
 10 charging all direct purchasers of telescopes supracompetitive prices. Defendants vigorously deny  
 11 these allegations.

12 On March 10, 2025, the Court granted DPPs’ Motion for Class Certification certifying a  
 13 class of all persons or businesses who directly purchased a telescope from Celestron Acquisition  
 14 LLC on or after April 1, 2005 through the date of class notice,<sup>1</sup> or from Meade Instruments,  
 15 between September 1, 2013 and November 30, 2019.

16 DPPs subsequently moved for approval of their proposed class notice (Dkt. 817), which  
 17 Defendants opposed. (Dkt. 820.) During the November 19, 2025 motion for summary judgment  
 18 hearing, the Court instructed the parties to meet and confer regarding the content and form of  
 19 notice, and subsequently denied DPPs’ motion. (Dkt. 838.) The parties have since met and  
 20 conferred, and have reached agreement as to the form and content of the notice and now submit this  
 21 Joint Motion for approval.

### 22 **ARGUMENT**

23 Federal Rule of Civil Procedure 23(c)(2)(B) requires a class notice to state in clear, concise  
 24 and plain language: (1) the nature of the action; (2) the definition of the Class; (3) the Class claims;  
 25 (4) a Class Member’s right to enter an appearance by an attorney; (5) a Class Member’s right to be  
 26 excluded from the Class; (6) the time and manner for requesting exclusion; and (7) the binding

27 \_\_\_\_\_  
 28 <sup>1</sup> Defendants dispute these class period dates, but have agreed to this definition solely for the  
 purpose of class notice.

1 effect of a judgment on Class Members. Fed. R. Civ. P. 23(c)(2)(B). The proposed Longform  
2 Notice of Pendency of Class Action (the “Longform Notice”), Email Summary Notice, (the “Email  
3 Notice”), and Postcard Summary Notice (the “Postcard Notice” and collectively the “Notices”)  
4 (Exs. 1, 2 and 3 to the Proposed Order) meet these requirements.

5 The Email Notice (Ex. 2 to the Proposed Order) will be sent to class members via email,  
6 and if no email is available or email notice is determined to be undeliverable, the Postcard Notice  
7 (Ex. 3 to the Proposed Order) will be sent via postcard. Both provide abbreviated information  
8 concerning the nature of the Class members’ claims, the parties, the definition of the Class, the  
9 right to be excluded from the class, the right to retain separate counsel, the binding effect of a  
10 judgment, and the deadline and mechanisms for requesting exclusion. (Exs. 2 and 3 to the Proposed  
11 Order.) The notices also include the contact information for Class Counsel and the Administrator  
12 along with a link or QR-code that will enable the recipient to access a website that will contain the  
13 Longform Notice and other information. (*Id.*)

14 The notices further provide information concerning the rights of class members who wish to  
15 opt out of the class proceeding within 60 days from the date of notice. (Exs. 1, 2 and 3 to the  
16 Proposed Order.) The opt out procedures are explained within the Longform Notice, the Email  
17 Notice, and the Postcard Notice and will be available on the website as well. (Exs. 1 and 2 to the  
18 Proposed Order.) Accordingly, the Parties request that the Court approve the proposed notices.

19 For a class certified under Rule 23(b)(3), the Court “must direct to class members the best  
20 notice that is practicable under the circumstances, including individual notice to all members who  
21 can be identified through reasonable effort.” Fed. R. Civ. P. 23(c)(2)(B). Such notice must be  
22 “reasonably calculated to reach interested parties.” *Mullane v. Cent. Hanover Bank & Trust Co.*,  
23 339 U.S. 306, 318–20 (1950). When measuring the adequacy of notice in a class action, a court  
24 should look to its reasonableness. *See, e.g., Silber v. Mabon*, 18 F.3d 1449, 1454 (9th Cir. 1994)  
25 (“We therefore conclude that the appropriate question remains ... ‘what notice is reasonably certain  
26 to inform the absent members of the plaintiff class,’ and the appropriate standard is the ‘best notice  
27 practicable’ under *Eisen* and *Mullane*”) (internal citation omitted).

1 The parties' plan for disseminating notice comports with the requirements of due process  
2 and is the best notice practicable under the circumstances. Specifically, the Parties have agreed to  
3 provide notice via email to potential class members based on the contact information provided by  
4 Defendants that identifies the individuals and entities that purchased telescopes during the relevant  
5 time period. Defendants have also agreed to provide supplemental Celestron transactional data with  
6 any email information to allow the DPPs further information to identify and provide notice to class  
7 members for the alleged class period. (Dkt 839.) This supplemental transactional data will be  
8 provided at least 14 days prior to the deadline for DPPs to provide notice. The Email Notice will  
9 then be sent by the Administrator to class members with valid email addresses. Any class members  
10 without sufficient email information, or whose emails are returned as undeliverable, will be mailed  
11 the Postcard Notice. A copy of the Longform Notice, along with the Optout form and other Court  
12 orders and filings will be posted and available for download on the website. Courts, including this  
13 Court, have repeatedly found notice of the same type contemplated by DPPs sufficient. *See, e.g.,*  
14 *Utne v. Home Depot U.S.A., Inc.*, No. 16-cv-1854-RS, 2018 WL 11373654, at \*2 (N.D. Cal. Aug.  
15 21, 2018); *Sansone v. Charter Communications*, 2023 WL 9051463 at \*2 (S.D. Cal. Aug. 21,  
16 2023); *Sparkman v. Comerica Bank*, 2025 WL 1192411, at \*2 (E.D. Cal. Apr. 24, 2025).

17 In connection with its proposed notice, the parties request that the Court authorize the  
18 retention of Kroll LLC ("Kroll") as the Administrator for managing class member claims. Kroll is a  
19 recognized leader in legal administration services for class actions and legal noticing programs.  
20 Kroll has more than 50 years of experience in class action administration, including in antitrust  
21 cases and many other types of class actions.

## 22 CONCLUSION

23 For the foregoing reasons, DPPs and Defendants respectfully request that the Court enter an  
24 order (1) approving the proposed Notices to the Class and (2) authorizing dissemination of the  
25 Notices to all class members who can be identified through reasonable effort.  
26  
27  
28

1 Dated: January 6, 2026

Respectfully submitted,

2 BRAUNHAGEY & BORDEN LLP

3 By: /s/ Matthew Borden  
Matthew Borden

4 *Attorneys for Direct Purchaser Plaintiffs*

5 SKAGGS FAUCETTE LLP

6 By: /s/ Martin R. Glick  
7 Martin R. Glick

8 *Attorneys for Defendants Sylvia Shen, Suzhou*  
9 *Synta Optical Technology Co., Ltd., SW*  
10 *Technology Corp., Nantong Schmidt Opto-*  
11 *Electrical Technology Co. Ltd., Synta*  
12 *Technology Corp., Synta Canada Int'l*  
13 *Enterprises Ltd., David Shen, Jack Chen*

14 FROST LLP

15 By: /s/ Lawrence Liu  
16 Lawrence Liu

17 *Attorneys for Defendants Celestron Acquisition,*  
18 *LLC, Suzhou Synta Optical Technology Co.,*  
19 *Ltd., Synta Canada Int'l Enterprises Ltd., SW*  
20 *Technology Corp., Olivon Manufacturing Co.*  
21 *Ltd., Olivon USA, LLC, Nantong Schmidt Opto-*  
22 *Electrical Technology Co. Ltd., Pacific*  
23 *Telescope Corp., David Shen, Sylvia Shen, Jack*  
24 *Chen, Jean Shen, Laurence Huen*

25 CROWELL & MORING LLP

26 By: /s/ Eric P. Enson  
27 Eric P. Enson

28 *Attorneys for Defendants Corey Lee, Joseph*  
*Lupica, Dave Anderson*



**ATTESTATION**

Counsel for Direct Purchaser Plaintiffs hereby attests by his signature below that concurrence in the filing of this document was obtained from counsel for Defendants.

Dated: January 6, 2026

Respectfully submitted,

BRAUNHAGEY & BORDEN LLP

By: /s/ Matthew Borden  
Matthew Borden

*Attorneys for Direct Purchaser Plaintiffs*